LAW OFFICE

THOMAS F. McFarland, P.C.

208 SOUTH LASALLE STREET - SUITE 1890 CHICAGO, ILLINOIS 60604-1112 TELEPHONE (312) 236-0204 FAX (312) 201-9695

mcfarland@aol.com

THOMAS F MCFARLAND

November 8, 2010

FEE RECEIVED

NOV 9 - 2010

SURFACE TRANSPORTATION BOARD

By UPS overnight mail

Ms. Cynthia T. Brown, Chief Section of Administration Office of Proceedings Surface Transportation Board 395 E Street, S.W. Washington, DC 20024

Re:

Docket No. AB-384 (Sub-No. 2X), Delta Southern Railroud, Inc. -- Abandonment

Exemption -- in East Carroll Parish, LA

Dear Ms. Brown:

Enclosed please find an original and 10 copies of Verified Notice of Exemption Under 49 C.F.R. § 1152.50, for filing with the Board in the above referenced matter.

Also enclosed is a check in the amount of \$3,600 for the filing fee.

Very truly yours,

Thomas F. McFarland Attorney for Applicant

Ten Metaland

TMcF:kl-enc:wp8 0\1462\ltrstb1

ENTERED Office of Proceedings

fora **9** = 201[

Part of Fublic Record

FILED

NOV 3 - 2010

SURFACE TRANSPORTATION BOARD

#### BEFORE THE SURFACE TRANSPORTATION BOARD

	DELTA SOUTHERN RAILROAD, INC ABANDONMENT EXEMPTION IN EAST CARROLL PARISH, LA		DOCKET NO. AB-384 (SUB-NO. 2X)
--	-------------------------------------------------------------------------------------	--	-----------------------------------

#### **VERIFIED NOTICE OF EXEMPTION** UNDER 49 C.F.R. § 1152.50

ENTERED Office of Proceedings NOV 9 - 2016 Part of Public Record

DELTA SOUTHERN RAILROAD, INC. P.O. Box 1709 Tallulah, LA 71282

**Applicant** 

FILED NOV 9 - 2010 SURFACE TRANSPORTATION BOARD

THOMAS F. McFARLAND THOMAS F. McFARLAND, P.C. 208 South LaSalle Street, Suite 1890 Chicago, IL 60604-1112 (312) 236-0204 (312) 201-9695 fax mcfarland@aol.com

Attorney for Applicant

FEE RECEIVED SURFACE TRANSPORTATION BOARD DATE FILED: November 9, 2010

# BEFORE THE SURFACE TRANSPORTATION BOARD

DELTA SOUTHERN RAILROAD, INC	)	DOCKET NO. AB-384
ABANDONMENT EXEMPTION IN	)	(SUB-NO. 2X)
EAST CARROLL PARISH, LA	)	•

ţ

# VERIFIED NOTICE OF EXEMPTION UNDER 49 C.F.R. § 1152.50

Pursuant to 49 C.F.R. § 1152.50, et seq., DELTA SOUTHERN RAILROAD, INC. (DSR) hereby provides notice of its class exemption from the requirements of 49 U.S.C. § 10903 for abandonment of a rail line on which no traffic has been originated, terminated, or moved overhead for more than two years in the past, i.e., between Milepost 463.0 which is approximately 200 feet west of U.S. Highway 65 North, at or near Shelburn, and Milepost 471.0, which is approximately 75 feet east of U.S. Highway 65 South approximately one mile south of Lake Providence, a distance of 8 miles in East Carroll Parish, Louisiana (the Rail Line). A map showing the Rail Line is attached as Appendix 1.

Pursuant to 49 C.F.R. § 1152.50(d)(2), FC provides the following information:

#### 1. Proposed Consummation Date

The proposed abandonment would be consummated no earlier than the 50<sup>th</sup> day after this Notice of Exemption is filed, i.e., December 29, 2010.

#### 2. Certification Required by 49 C.F.R. § 1152.50(b)

Mr. William Wainright, President of DSR, has certified that no local traffic has moved over the Rail Line for at least two years; that no overhead traffic has moved over the Rail Line

for at least two years; and that no formal complaint filed by a user of rail service on the Rail Line (or by a state or local government entity acting on behalf of such a user) regarding cessation of service over the Rail Line either is pending with the Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period, having alleged or proven that DSR has imposed an illegal embargo or other unlawful impediment to service. Mr. Wainright's verification of the foregoing is attached to this Notice as Appendix 2.

#### 3. Exact Name of Applicant - 49 C.F.R. § 1152.22(a)(1)

Applicant is Delta Southern Railroad, Inc.

#### 4. Common Carrier Status - 49 C.F.R. § 1152.22(a)(2)

Applicant is a common carrier by rail subject to 49 U.S.C. Subtitle IV, Chapter 105.

#### 5. Relief Sought - 49 C.F.R. § 1152.22(a)(3)

Applicant seeks an exemption that would authorize abandonment of the Rail Line.

#### 6. Map of the Rail Line - 49 C.F.R. § 1152.22(a)(4)

The required map is attached to this Notice as Appendix 1.

#### 7. Applicant's Representative - 49 C.F.R. § 1152.22(a)(7)

Applicant's Representative to whom correspondence is to be sent is Thomas F.

McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, Illinois 60604-1112, (312) 236-0204 (phone), (312) 201-9695 (fax), mcfarland@aol.com (e-mail).

#### 8. Postal Service Zip Codes - 49 C.F.R. § 1152.22(a)(8)

The Rail Line traverses USPS Zip Code 71254.

#### 9. Use for Other Public Purposes - 49 C.F.R. § 1152.22(e)(4)

In DSR's opinion, the right-of-way land proposed for abandonment may be appropriate for use for another public purpose, i.e., railbanking and interim recreational trail use. No restriction on title to that right-of-way, including any reversionary interest, would affect that use if conveyance for such use were to be made under the National Trails System Act, 16 U.S.C. § 1247(d).

#### 10. Level of Labor Protection

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co. - Abandonment - Goshen*, 360 I.C.C. 91 (1979).

#### 11. Notice Requirements - 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.11

Mr. William Wainright, President of DSR, hereby certifies that in accordance with 49 C.F.R. § 1152.20(d)(1), at least 10 days prior to the filing of this Notice, DSR sent a notice in writing to the Louisiana Department of Transportation & Development; the United States Department of Defense, Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program; the National Park Service, Recreation Resources Assistance Division; and the U.S. Department of Agriculture, Chief of the Forest Service, naming the Applicant, describing the Rail Line involved, including the USPS Zip Code affected, indicating that the class exemption procedure is being used, and stating that in the near future a Notice of Exemption will be filed with the Board. The Notice included the required statement regarding federally-granted right-of-way. See Appendix 2.

Mr. Wainright further certifies that in accordance with 49 C.F.R. § 1105.11, DSR sent a copy of its Draft Environmental and Historic Report to the Louisiana State Clearinghouse; the

Louisiana Environmental Protection Agency; the Louisiana State Coastal Zone Management Agency; the Board of Commissioners of the City of Lake Providence, LA and the East Carroll Parish; the Regional Office of the United States Environmental Protection Agency; the United States Fish & Wildlife Service; the United States Army Corps of Engineers; the National Park Service; the United States Soil Conservation Service; the National Geodetic Survey; and the Louisiana Historic Preservation Office. See Appendix 2.

#### **ENVIRONMENTAL AND HISTORIC REPORTING**

Attached to this Notice of Exemption as Appendix 3 is a copy of a Draft Environmental and Historic Report dated October 20, 2010 that was prepared by DSR and submitted to all agencies named in the Board's regulations.

Attached to this Notice as Appendix 4 are comments received to date by DSR in response to its Draft Environmental and Historic Report.

#### **NEWSPAPER PUBLICATION**

DSR hereby certifies that a notice of the proposed abandonment was published in the Banner Democrat, a newspaper of general circulation in East Carroll Parish, Louisiana on October 28, 2010. A copy of the notice is attached as Appendix 5.

WHEREFORE, within 20 days of the filing of this Notice, the Board, through the Director of the Office of Proceedings, should publish a notice in the *Federal Register* of the filing of this Notice. (See 49 C.F.R. § 1152.50(d)(3)).

Respectfully submitted,

DELTA SOUTHERN RAILROAD, INC. P.O. Box 1709
Tallulah, LA 71282

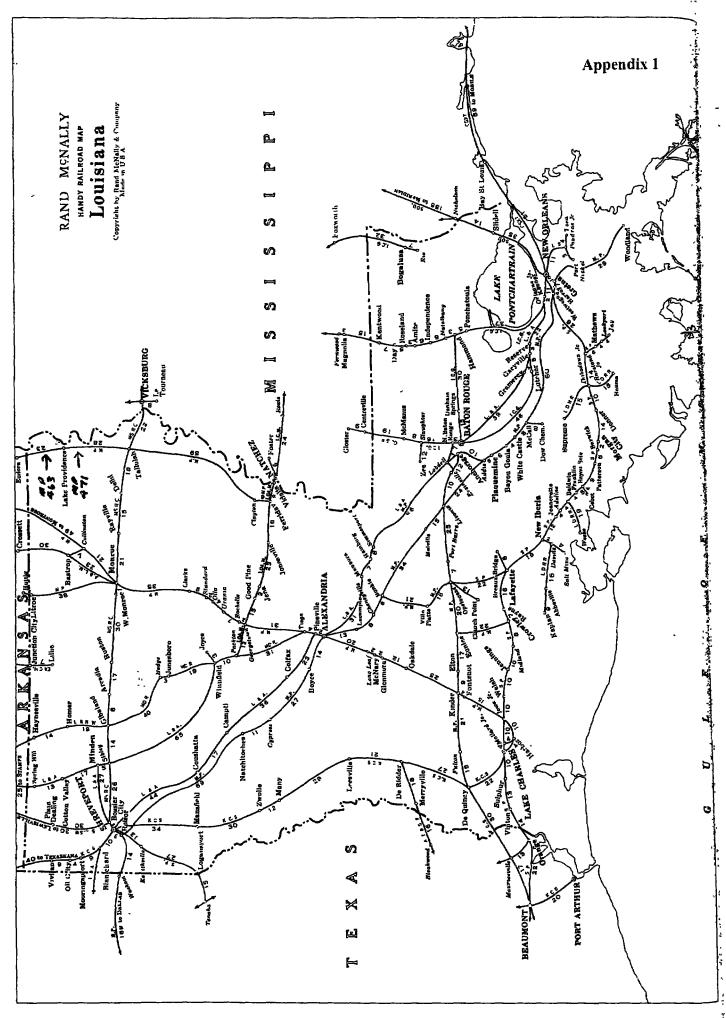
**Applicant** 

Thomas F McFarland

THOMAS F. McFARLAND, P.C. 208 South LaSalle Street, Suite 1890 Chicago, IL 60604-1112 (312) 236-0204 (312) 201-9695 fax mcfarland@aol.com

Attorney for Applicant

DATE FILED: November 9, 2010



#### VERIFICATION

STATE OF LOUISIANA	)	
	)	SS:
PARISH OF EAST CARROLL	)	

WILLIAM WAINRIGHT, being duly sworn, states that:

- He is President of Delta Southern Railroad, Inc, (DSR), the rail carrier having filed a
   Notice of Exemption under 49 C.F.R. § 1152.50 in this proceeding; and
- No local traffic has moved over the Rail Line proposed for abandonment in this proceeding for at least two years; no overhead traffic has moved over the Rail Line for at least two years; no formal complaint filed by a user of rail service on the Rail Line (or by a state or local government entity acting on behalf of such a user) regarding cessation of service over the Rail Line either is pending with the Board or any U.S. District Court or has been decided in favor of the Complainant within the two-year period, having alleged or proven that DSR has imposed an illegal embargo or other unlawful impediment to service; and
- In accordance with 49 C.F.R. § 1150.20(d)(1), at least 10 days prior to filing its Notice of Exemption, DSR sent a notice in writing to the Louisiana Department of Transportation & Development; the United States Department of Defense, Military Traffic Management Command, Railroads for National Defense Program; the National Park Service, Recreation Resources Assistance Division; and the United States Department of Agriculture, Chief of the Forest Service, naming DSR as Applicant, describing the Rail Line involved, including the USPS Zip Code affected, indicating that the class exemption

-1-

procedure is being used, stating that in the near future a Notice of Exemption is to be filed with the Board; and including a statement that to DSR's knowledge the Rail Line does not contain federally-granted right-of-way; and

4. In accordance with 49 C.F.R. § 1105.11, DSR sent a copy of its Draft Environmental and Historic Report to the Louisiana State Clearinghouse; the Louisiana Environmental Protection Agency; the Louisiana State Coastal Zone Management Agency; the Board of Commissioners of the City of Lake Providence, LA and the East Carroll Parish; the Regional Office of the United States Environmental Protection Agency; the United States Fish & Wildlife Service; the United States Army Corps of Engineers; the National Park Service; the United States Soil Conservation Service; the National Geodetic Survey; and the Louisiana Historic Preservation Office; and

5. All other factual allegations in DSR's Notice of Exemption are true and correct.

WILLIAM WAINRIGHT

SUBSCRIBED and SWORN to before me in and for the State and County above named, this 15T day of November 2010.

Notary Public

My Commission expires:

PAMELA KAY ESSEX
NOTARY PUBLIC #056339
State of Louisiana
My Commission is for Life

# APPENDIX 3

Draft Environmental & Historic Report dated October 20, 2010

#### LAW OFFICE

# THOMAS F. McFARLAND, PC.

208 SOUTH LASALLE STREET - SUITE 1890

CHICAGO, ILLINOIS 60604-1112 TELEPHONE (312) 236-0204 FAX (312) 201-9695

mcfarland@aol.com

THOMAS F. MCFARLAND

October 20, 2010

#### State Clearinghouse

Louisiana Department of Transportation & Develop. P.O. Box 94245
Baton Rouge, LA 70804-9245

#### State Coastal Zone Management

Louisiana Coastal Management Division Department of Natural Resources P.O. Box 44487 Baton Rouge, LA 70804-4487

#### City Planner:

City of Lake Providence
Planning & Development Department
201 Sparrow Street
Lake Providence, LA 71254

#### U.S. Fish & Wildlife Service:

U.S. Fish & Wildlife Service - Region 4 Century Center 1875 Century Boulevard Atlanta. GA 30345

#### **National Park Service:**

Planning and Compliance Office National Park Service - Southeast Region 100 Alabama St., SW Atlanta. GA 30303

#### National Oceanic & Atmospheric Admin.:

NGS Information Services, NOAA, N/NGS12 National Geodetic Survey SSMC-3. #9202 1315 East-West Highway Silver Spring, MD 20910-3282

#### **State Environmental Protection Agency**

Louisiana Dept. of Environmental Quality P.O. Box 4301 Baton Rouge, LA 70821-4301

#### Parish Commissioners:

Mr. Major Watson, Parish Manager East Carroll Parish Commissioners 3121 Hwy. 581 Lake Providence, LA 71254

# Environmental Protection Agency

(regional office):

Environmental Protection Agency - Region 6 1445 Ross Avenue, Suite 1200 Dallas, TX 75202

#### U.S. Army Corps of Engineers

U.S. Army Corps of Engineers New Orleans District P.O. Box 60267 New Orleans, LA 70160-0267

#### **Natural Resources Conservation Service:**

Natural Resources Conservation Service USDA 3737 Government Street Alexandria, LA 71302

#### Louisiana Historical Preservation Office:

Louisiana Office of Cultural Development Department of Culture, Recreation and Tourism P.O. Box 44247 Baton Rouge, LA 70804-4247

Re: STB Docket No. AB-384 (Sub-No. 2X), Delta Southern Railroad, Inc. -- Abandonment Exemption -- in East Carroll Parish, LA

#### THOMAS E MCFARLAND

October 20, 2010 Page 2

Dear Agency or Governmental Representative:

Hereby transmitted is a Draft Environmental and Historic Report prepared by Delta Southern Railroad, Inc. in conjunction with the captioned matter. Your comments are solicited in regard to content of the Report that is within your jurisdiction.

Very truly yours,

Thomas F. McFarland
Attorney for Delta Southern
Railroad, Inc.

TMcF:kl:wp8.0\1462\ltrDEHR1

cc: Mr. William Wainright, by fax

# BEFORE THE SURFACE TRANSPORTATION BOARD

DELTA SOUTHERN RAILROAD, INC ABANDONMENT EXEMPTION IN EAST CARROLL PARISH, LA	) ) )	DOCKET NO. AB-384 (SUB-NO. 2X)

#### DRAFT ENVIRONMENTAL AND HISTORIC REPORT

DELTA SOUTHERN RAILROAD, INC. P.O. Box 1709
Tallulah, LA 71282

**Applicant** 

THOMAS F. McFARLAND THOMAS F. McFARLAND, P.C. 208 South LaSalle Street, Suite 1890 Chicago, IL 60604-1112 (312) 236-0204 (312) 201-9695 fax mcfarland@aol.com

Attorney for Applicant

Date Submitted: October 20, 2010

# BEFORE THE SURFACE TRANSPORTATION BOARD

\_\_\_\_\_

DELTA SOUTHERN RAILROAD, INC	)	DOCKET NO. AB-384
ABANDONMENT EXEMPTION IN EAST CARROLL PARISH, LA	)	(SUB-NO. 2X)

#### DRAFT ENVIRONMENTAL AND HISTORIC REPORT

\_\_\_\_

Pursuant to 49 C.F.R. § 1105.7 and 1105.8. DELTA SOUTHERN RAILROAD, INC. (DSR) hereby submits this Draft Environmental and Historic Report.

#### I. Environmental Report

DSR hereby submits the following information required by 49 C.F.R. § 1105.7(e):

(1) Proposed action and alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

In the near future, DSR intends to file with the Surface Transportation Board (STB) a Notice of Exemption from 49 U.S.C. § 10903 for abandonment of an 8-mile rail line between Milepost 463.0, which is located approximately 200 feet west of U.S. Highway 65 North at or near Shelburn, and Milepost 471.0, which is located approximately 75 feet east of U.S. Highway 65 South approximately one mile south of Lake Providence, in East Carroll Parish, Louisiana (the Rail Line). The Rail Line is shaded in yellow on a print that is attached as Appendix 1.

Abandonment of the Rail Line is exempt from the application and approval requirements of 49 U.S.C. § 10903 because it has not been used for the provision of rail service for more than two years.

In the event of abandonment, the track materials in the Rail Line would be removed and sold for reuse, rerolling, or scrap, and the land in the right-of-way would be sold or conveyed for railbanking and interim recreational trail use.

Minimal maintenance of the Rail Line currently being performed would cease in the event of abandonment.

There is no reasonable alternative to abandonment inasmuch as DSR would incur substantial opportunity costs associated with nonrail use of the Rail Line's assets unless the Rail Line were to be abandoned.

A map of the Rail Line is attached to this Report as Appendix 1.

(2) Transportation system. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

DSR believes that abandonment of the Rail Line will have a minimal effect on regional or local transportation systems and patterns. No rail traffic is currently moving over the Rail Line, so there would be no diversion of rail traffic to other modes of transportation.

(3) Land use. (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

DSR believes that abandonment of the Rail Line would be consistent with existing land use plans. DSR is consulting by letter with planning agencies for the City of Lake Providence

and East Carroll Parish in order to obtain any contrary views. See Appendix 2 attached to this Report.

(3)(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

The proposed abandonment would have no effect on prime agricultural land. The Rail Line is in a rural setting. Removal of trackage from the Rail Line should not have any effect on prime agricultural land. In accordance with this regulation, DSR is consulting by letter with the Natural Resources Conservation Service (Appendix 2 hereto).

(3)(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by §1105.9.

The proposed abandonment does not affect land or water uses in a designated coastal zone.

(3)(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

In DSR's opinion, the right-of-way in the Line would be appropriate for alternative public use as a recreational trail.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment will have no effect on transportation of energy resources.

(4)(ii) Describe the effect of the proposed action on recyclable commodities.

The proposed abandonment will have no effect on recyclable commodities.

(4)(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

The proposed abandonment will not result in a change in overall energy efficiency because no rail traffic would be diverted to truck transportation.

- (4)(iv) If the proposed action will cause diversions from rail to motor carriage of more than:
  - (A) 1,000 rail carloads a year; or
  - (B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in §§1105.7(e)(4)(iii) need not be supplied if the more detailed information in §§1105.7(e)(4)(iv) is required.

Not applicable, as no such diversions will occur.

- (5) Air. (i) If the proposed action will result in either:
  - (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or
  - (B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or
  - (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10502) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

Not applicable, as no such increases will occur.

- (5)(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:
  - (A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,
  - (B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or
  - (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or

49 U.S.C. 10502), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Not applicable, as no such increases will occur.

(5)(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable, as no such transportation will occur.

- (6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:
  - (i) An incremental increase in noise levels of three decibels Ldn or more; or
  - (ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

Not applicable, as no such thresholds will be surpassed.

(7) Safety. (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

The proposed exemption and the resulting abandonment will have a beneficial effect on public health and safety because existing rail crossings of public streets and private driveways would be permanently inactive.

(7)(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable, as hazardous materials will not be transported.

(7)(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Not applicable, as no such sites will be affected.

(8) Biological resources. (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

The proposed exemption is unlikely to adversely affect endangered or threatened species or areas designated as critical habitat. In accordance with this regulation, DSR is consulting by letter with the U.S. Fish and Wildlife Service (Appendix 2).

(8)(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

The proposed exemption will not affect wildlife sanctuaries or refuges, nor National or state parks or forests.

(9) Water. (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The proposed exemption will be consistent with applicable Federal, State or local water quality standards. In accordance with this regulation, DSR is consulting by letter with local water quality officials (Appendix 2).

(9)(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the

proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

DSR believes that permits under section 404 of the Clean Water Act are not required for the proposed exemption. The proposed exemption will not affect any designated wetlands or 100-year flood plains. In accordance with this regulation, DSR is consulting by letter with the U.S. Army Corps of Engineers (Appendix 2).

(9)(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

DSR believes that permits under section 402 of the Clean Water Act are not required for the proposed exemption. In accordance with this regulation, DSR is consulting by letter with the U.S. Environmental Protection Agency (Appendix 2).

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Not applicable, as there will be no adverse environmental impacts to mitigate.

Attached as Appendix 2-A are comments from the National Geodetic Survey and Natural Resources Conservation Service in response to letter to governmental agencies dated October 5, 2010 (Appendix 2).

#### II. Historic Report

DSR hereby submits the following information required by 49 C.F.R. § 1105.8(d):

(d)(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

The required topographic map is attached to this Report as Appendix 3.

(d)(2) A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The right-of-way in the Rail Line is generally 100 feet wide. The surrounding area is rural in nature.

(d)(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

Photographs of the three bridges on the Rail Line are attached as Appendix 4.

(d)(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;

Not precisely known.

(d)(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

The Rail Line was constructed by the St. Louis, Iron Mountain & Southern Railroad. It opened for operation in December 1, 1903. Ownership passed into the hands of Missouri Pacific Railroad Company (MP). MP sold the Rail Line to DSR in January, 1989.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;

None available.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

The Rail Line is not thought to meet the criteria for listing in the National Register of Historic Places. It is unlikely that there are archeological resources or previously unknown historic properties in the project area. In accordance with this regulation, DSR is consulting by letter with the Historical Preservation Office (Appendix 2 hereto).

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

DSR has no knowledge of any prior subsurface ground disturbance or fill, or environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

Respectfully submitted,

DELTA SOUTHERN RAILROAD, INC. P.O. Box 1709 Tallulah, LA 71282

**Applicant** 

Throws F. Mcfarland

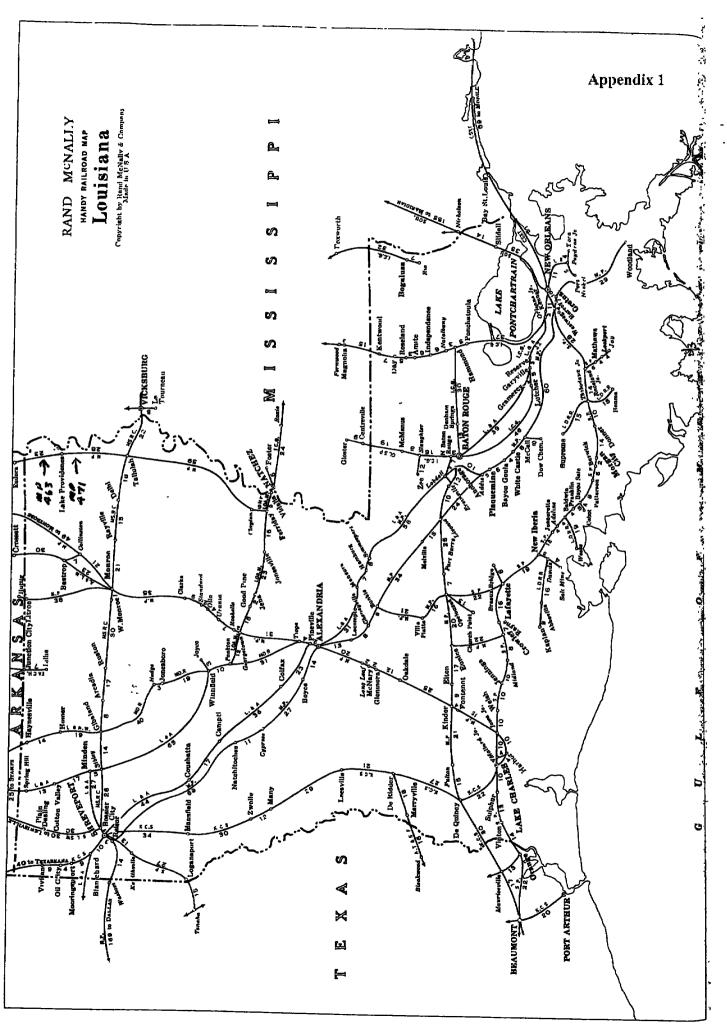
THOMAS F. McFARLAND THOMAS F. McFARLAND, P.C. 208 South LaSalle Street, Suite 1890 Chicago, IL 60604-1112 (312) 236-0204 (312) 201-9695 fax mcfarland@aol.com

Attorney for Applicant

Date Submitted: October 20, 2010

# DRAFT ENVIRONMENTAL & HISTORIC REPORT APPENDIX 1

Map of Rail Line pursuant to 49 C.F.R. § 1105.7(e)(1)



## DRAFT ENVIRONMENTAL & HISTORIC REPORT

## **APPENDIX 2**

Letter dated October 5, 2010 to agencies pursuant to 49 C.F.R. § 1105.7(b)(1)-(11)

#### LAW OFFICE

## THOMAS F. McFarland, P.C.

208 SOUTH LASALLE STREET - SHITE 1890

CHICAGO, ILLINOIS 60604-1112 TELEPHONE (312) 236-0204

Fax (312) 201-9695 mcfarland@aol.com

THOMAS F. MCFARLAND

October 5, 2010

#### State Clearinghouse

Louisiana Department of Transportation & Develop. P.O. Box 94245
Baton Rouge, LA 70804-9245

#### State Coastal Zone Management

Louisiana Coastal Management Division Department of Natural Resources P.O. Box 44487 Baton Rouge, LA 70804-4487

#### City Planner:

City of Lake Providence Planning & Development Department 201 Sparrow Street Lake Providence, LA 71254

#### U.S. Fish & Wildlife Service:

U.S. Fish & Wildlife Service - Region 4 Century Center 1875 Century Boulevard Atlanta, GA 30345

#### National Park Service:

Planning and Compliance Office National Park Service - Southeast Region 100 Alabama St., SW Atlanta, GA 30303

#### National Oceanic & Atmospheric Admin.:

NGS Information Services, NOAA. N/NGS12 National Geodetic Survey SSMC-3, #9202 1315 East-West Highway Silver Spring, MD 20910-3282

#### State Environmental Protection Agency

Louisiana Dept. of Environmental Quality P.O. Box 4301 Baton Rouge, LA 70821-4301

#### **Parish Commissioners:**

Mr. Major Watson, Parish Manager East Carroll Parish Commissioners 3121 Hwy. 581 Lake Providence, LA 71254

# Environmental Protection Agency

#### (regional office):

Environmental Protection Agency - Region 6 1445 Ross Avenue, Suite 1200 Dallas, TX 75202

#### U.S. Army Corps of Engineers

U.S. Army Corps of Engineers New Orleans District P.O. Box 60267 New Orleans, LA 70160-0267

#### **Natural Resources Conservation Service:**

Natural Resources Conservation Service USDA 3737 Government Street Alexandria, LA 71302

#### Louisiana Historical Preservation Office:

Louisiana Office of Cultural Development Department of Culture, Recreation and Tourism P.O. Box 44247 Baton Rouge, LA 70804-4247

Re: STB Docket No. AB-384 (Sub-No. 2X), Delta Southern Railroad, Inc. -- Abandonment Exemption -- in East Carroll Parish, LA

#### THOMAS F. McFarland

October 5, 2010 Page 2

Dear Agency or Governmental Representative:

Delta Southern Railroad, Inc. (DSR) is a common carrier by railroad whose address is P.O. Box 1709, Tallulah, LA 71282. In the near future, DSR intends to file with the Surface Transportation Board (STB) a Notice of Exemption from 49 U.S.C. § 10903 for abandonment of an 8-mile rail line between Milepost 463.0, which is located approximately 200 feet west of U.S. Highway 65 North at or near Shelburn, and Milepost 471.0, which is located approximately 75 feet east of U.S. Highway 65 South approximately one mile south of Lake Providence, in East Carroll Parish, Louisiana (the Rail Line). The Rail Line is shaded in yellow on a map that is attached to this letter as Appendix 1.

Before filing a Notice of Exemption for abandonment of the Rail Line, DSR is required to prepare and circulate to appropriate local government agencies a Draft Environmental and Historic Report that will be reviewed by the STB in conjunction with its determination of whether or not the proposed abandonment would have a significant adverse effect on the human environment or on historic resources. This letter is intended to consult with your agency in regard to the environmental and historic effects of the proposed abandonment.

Pursuant to STB regulations at 49 C.F.R. § 1105.7, this letter is to request your assistance in identifying potential environmental and historic effects of that proposed abandonment. DSR does not anticipate any adverse environmental or historic impacts; however, if you identify any such adverse impacts, please describe any action that could be taken to mitigate such adverse impacts. Please provide a written response to this letter as soon as possible so that your response can be included in a Draft Environmental and Historic Report that DSR will prepare, file with the STB, and serve on interested agencies.

<u>COUNTY AND CITY PLANNING AGENCIES</u>. Please state whether the proposed abandonment would be consistent with existing land-use plans. Describe any inconsistencies.

<u>US SOIL CONSERVATION SERVICE</u>. Please state the effect of the proposed abandonment on any prime agricultural land.

<u>US FISH AND WILDLIFE SERVICE</u>. Please state (1) whether the proposed abandonment is likely to adversely affect endangered or threatened species or areas designated as a critical habitat and, if so, please describe such effects; and (2) whether wildlife sanctuaries or refuges. National or State parks or forests will be affected and, if so, please describe such effects.

THOMAS F. McFarland

October 5, 2010

Page 3

STATE WATER QUALITY OFFICIALS. Please state whether the proposed

abandonment would be consistent with applicable Federal, State or Local water quality standards.

Please describe any inconsistencies.

US AND STATE ENVIRONMENTAL PROTECTION AGENCIES (OR

EQUIVALENT AGENCY). Please (1) identify any potential adverse environmental effects of

the proposed abandonment on the surrounding area, and (2) identify the location of any known

hazardous materials spills on the right-of-way of the Rail Line, and list the types of hazardous

materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33

U.S.C. § 1342) are required for the proposed abandonment.

STATE HISTORICAL PRESERVATION OFFICE. Please identify any bridges on the

Rail Line that are historically significant. The Rail Line was constructed by the St. Louis, Iron

Mountain & Southern Railroad. It was first operated in 1903.

Please send your reply to me as DSR's attorney to: Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112. You may reach me by telephone at (312) 236-0204 if you have any questions or need further information. DSR

appreciates your assistance in furnishing a reply to this letter.

Very truly yours,

Thomas F. McFarland

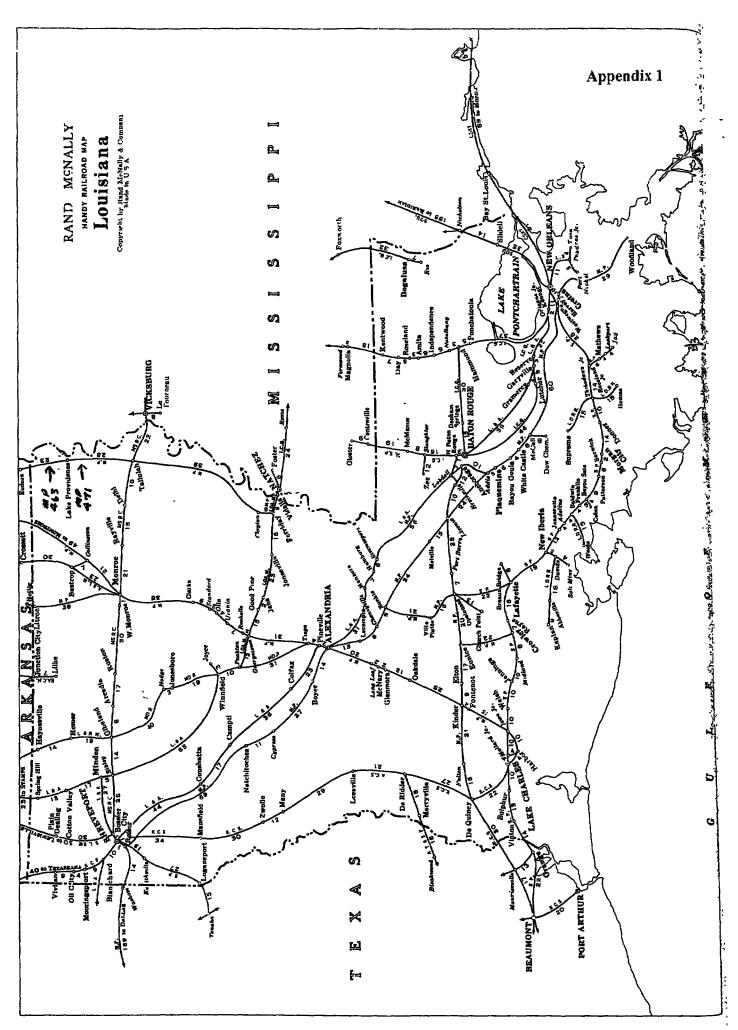
Attorney for Delta Southern Railroad, Inc.

Tom McFarland

TMcF kl/wp8 0\1462\ltragencies1

cc:

Mr. William Wainright, by fax



## DRAFT ENVIRONMENTAL & HISTORIC REPORT

### **APPENDIX 2-A**

Responses to letter dated October 5, 2010 to agencies pursuant to 49 C.F.R. § 1105.7(b)(1)-(11)

From: Simon Monroe <Simon.Mon.oe@noas.gov>

To: morariand@aol.com

Co: Surface Transportation Spard <sea@sto do:.gov>; Surveyonady@yahoo.com; Gilbert Mitchell

<Gilbert.Mitchell@noaa.gov>; Simon Monros <S:mor.idonroe@noaa.gov>

Subject: [NGS Response, STB Docket AB-384 (SUB NO. 02X)]

Date: Tue, Oct 19, 2010 11:56 am

Thank you for sharing your railroad abandonment environmental report for

Shelburn, East Carroll Parish, LOUISIANA.

Approximately 10 geodetic survey marks may be located in the area described. If marks will be disturbed by the abandonment, [THE RAILROAD] shall consult with the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic station

marks are described on the attached file. Additional advice is provided at <a href="http://geodesy.noaa.gov/marks/railroads/">http://geodesy.noaa.gov/marks/railroads/</a>

|....|CP3387|. 2|88/ADJUSTED|N325028.....|W0911325.....|C,...|18 V 6

|....|CP3388|. 2|88/ADJUSTED|N324934.....|W0911300.....|C...|18 V 7

|....|CP3389|. 2|88/ADJUSTED|N324904.....|W0911225.....|C...|18 V 8

|....|CP3390|. 2|88/ADJUSTED|N324846.....|W0911134.....|C...|18 V 9

j....|CP3174|0 h|88/GPS OBS.[N324925.42782|W0911116.10535|C...|GUENARD

|....|CP2840|2 2|88/ADJUSTED;N324926.17730|W0911315.57858|C...|LAKE

|....|AA2858|. 2|88/AD3USTED|N324925.....|W0911315.....|C...|LAKE RM 2

[....[CP1207]. u]29/ADJ UNCH[N324854......[W0911205......[C...]MT LEVNER BOLT

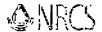
[....|CP1206|. u|29/AD] UNCH|N324854.....|W0911205.....|D...|MT LEVNER CAP

[....[CP1143]. u[29/AD] UNCH[N324715......[W0911056......[D...[89/4]]

-- Simon Monroe Geodetic Services Division National Geodetic Survey NOAA - N/NGS12 - RM. 9202 1315 East/West Highway Silver Spring, MD 20910-3282

Phone: 301-713-3242

#### THE CASE IN ALL AND A PROPERTY OF A SECURITY OF A SECURITY OF



Natural Resources Conservation Service 3737 Government Street Alexandria, LA 71302

318-473-7751 318-473-7626

October 13, 2010

Thomas McFarland, P.C. Attorney for Delta Southern Railroad, Inc. 208 LaSalle Street, Suite 1890 Chicago, Illinois 60604-1112

RE: Delta Southern Railroad, Inc.

Mr. McFarland:

I have reviewed your request for comments relative to impacts to Prime Farmland or Farmland of Statewide Importance for the following project in East Carroll parish, Louisiana:

1. Delta Southern Railroad, Inc.

These are my findings concerning the Delta Southern Railroad, Inc., from Shelburne, Louisiana to one mile south of Lake Providence, Louisiana, in East Carroll Parish.

Our Soil Survey indicates that the soils present on 100 percent of the site are Bruin silt loam (Br), Commerce silt loam (Cm), Commerce silty clay loam (Co), Newellton silty clay (Ne), Sharkey silty clay loam (Sa) and Tunica clay (Tn) are prime/unique farmland soil. If federal funds are involved, a determination of the "prime" farm land conversion impact, if any, will have to be made in accordance with the provisions of the Farmland Protection Policy Act of 1981.

Further, we do not believe there will be an adverse effect on the surrounding environment provided appropriate erosion control measures are taken during construction.

Please direct all future correspondence to me at the address shown above.

Respectfully.

Kevin D. Norton

State Conservationist

auditernatic isting for

**Attachments** 



USDA United States
Department of Department of Agriculturs

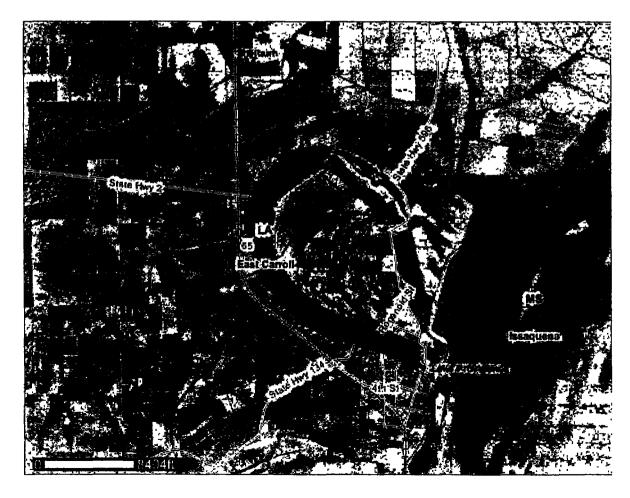


Resources Conservation Service

A product of the National Cooperative Soil Survey. a juint effort of the United States Department of Agriculture and other Federal agencies, Stats agencies including the Agricultural Experiment Stations, and local participants

# Custom Soil Resource Report for

# East Carroll Parish, Louisiana



# **Preface**

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://soils.usda.gov/sqi/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (http://offices.sc.egov.usda.gov/locator/app? agency=nrcs) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state\_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

# **Contents**

Preface	2
How Soil Surveys Are Made	
Soil Map	
Soil Map	
Legend	
Map Unit Legend	
Map Unit Descriptions	
East Carroll Parish, Louisiana	
Br-Bruin silt loam	12
Cm—Commerce silt loam	
Co—Commerce silty clay loam	
Ne—Newellton silty clay	
SaSharkey silty day loam	
Tn—Tunica clay	
W—Water	16
Soll Information for All Uses	17
Suitabilities and Limitations for Use	17
Land Classifications	17
Farmland Classification (Delta Southern railroad, INc (DSR) Shelburn	
Louisiana East Carroll Parish)	17
References	21

# **How Soil Surveys Are Made**

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



Area of Intarest (AOI)  Area of Intarest (AOI)  Solids  Solid Map Units Special Point Features Special Point Features Special Point Features Special Point Features Cally Spot Clay Spot Clay Spot Clay Spot Clavely Clavely Clavel Clavely Clavely Spot Clavely Clavely Clavel Cla	MAP INFORMATION	Map Scale $^{\circ}$ 1.55,900 if printed on A size (8.5" × 11") sheet.	The soil surveys that comprise your AOI were mapped at 1:24,000.		Please rely on the bar scale on each map sheet for accurate map	measurements.		Source of map indicated the Conservation Service Web Soil Survey URL: http://websoilsurvey.nrs.usda.gov	Coordinate System: UTM Zone 15N NAD83		This product is generated from the USDA-NRCS certified data as of	the version date(s) listed below.	Coll Course, Asset   Cast Course   Dariet   American			Late(s) aeriai images were photographed: 1996; 1996; 8/13/2004	The orthophoto or other base map on which the soil lines were	compiled and digitized probably differs from the background imagery displayed on these mans. As a result, some minor shifting	of map unit boundaries may be evident.									
ress ress ress ( pressei ( pressei ( pressei ( protessei vona Wwater of of of serope ( protessei (  protessei (	GEND			4	Special Line Features					Political Features		Water Features	Oceans		Transportation				Major Roads									
	MAPLE	erest (AOI)	Ares of Interest (AOI)	Soil Map Units		Point Features	Blowout	Borrow Pit	Clav Spot		Closed Depression	Gravel Pit	Gravelly Spot	Landfill	Lava Flow	Marsh or swamp	Mine or Quarry	Miscellaneous Water	Perennial Water	Rock Outcrop	Saline Spot	Sandy Spot	Severely Eroded Spot	Sinkhole	Slide or Skp	Sodic Spot	Spoil Area	Stony Spot

## Map Unit Legend

East Carroll Parish, Louislane (LA035)										
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI							
Br	Bruin sitt loam	233.8	22.9%							
Cm	Commerce silt loam	382.6	37.5%							
Co	Commerce silty day loam	281.0	27.5%							
Ne	Newellton silty clay	110.2	10.8%							
Sa	Sharkey silty clay loam	4.4	0.4%							
Tn	Tunica day	7.8	0.8%							
w	Water	0.5,	0.0%							
Totals for Area of Intere	est	1,020.3	100.0%							

## **Map Unit Descriptions**

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A complex consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An association is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An undifferentiated group is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

### East Carroll Parish, Louisiana

#### Br-Bruin silt loam

#### **Map Unit Setting**

Elevation: 20 to 120 feet

Mean annual precipitation: 45 to 55 inches
Mean annual air temperature: 61 to 70 degrees F

Frost-free period: 200 to 300 days

#### **Map Unit Composition**

Bruin and similar soils: 90 percent

#### **Description of Bruin**

#### Setting

Landform: Natural levees

Landform position (three-dimensional): Flat

Down-slope shape: Convex Across-slope shape: Linear

Parent material: Mississippi silty alluvium

#### **Properties and qualities**

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high

(0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None Frequency of ponding: None

Available water capacity: Very high (about 12.6 inches)

#### Interpretive groups

Land capability (nonimigated): 1

#### Typical profile

0 to 8 inches: Silt loam 8 to 24 inches: Silt loam 24 to 65 inches: Silt loam

#### Cm-Commerce silt loam

#### **Map Unit Setting**

Elevation: 0 to 120 feet

Mean annual precipitation: 45 to 65 inches Mean annual air temperature: 61 to 70 degrees F

Frost-free period: 200 to 350 days

#### **Map Unit Composition**

Commerce and similar soils: 85 percent

#### **Description of Commerce**

#### Setting

Landform: Natural levees
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Silty alluvium

#### Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to

0.60 in/hr)

Depth to water table: About 18 to 48 inches

Frequency of flooding: None Frequency of ponding: None

Available water capacity: Very high (about 12.9 inches)

#### Interpretive groups

Land capability (nonimigated): 2w

#### Typical profile

0 to 6 inches: Silt loam 6 to 33 inches: Silt loam 33 to 65 inches: Silt loam

#### Co-Commerce silty clay loam

#### **Map Unit Setting**

Elevation: 0 to 120 feet

Mean annual precipitation: 45 to 65 inches Mean annual air temperature: 61 to 70 degrees F

Frost-free period: 200 to 350 days

#### **Map Unit Composition**

Commerce and similar soils: 85 percent

#### **Description of Commerce**

#### Setting

Landform: Natural levees
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Silty alluvium

#### Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to

0.60 in/hr)

Depth to water table: About 18 to 48 inches

Frequency of flooding: None Frequency of ponding: None

Available water capacity: Very high (about 12.6 inches)

#### Interpretive groups

Land capability (nonimigated): 2w

#### Typical profile

0 to 8 inches: Silty clay loam 8 to 25 inches: Silt loam 25 to 70 inches: Silt loam

#### Ne-Newellton silty clay

#### Map Unit Setting

Mean annual precipitation: 45 to 65 inches
Mean annual air temperature: 61 to 70 degrees F

Frost-free period: 200 to 350 days

#### Map Unit Composition

Newellton and similar soils: 90 percent

#### **Description of Newellton**

#### Setting

Landform: Natural levees Down-slope shape: Linear Across-slope shape: Linear

#### Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat). Moderately low to

moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 12 to 36 inches

Frequency of flooding: None Frequency of ponding: None

Available water capacity: High (about 11.8 inches)

#### Interpretive groups

Land capability (nonimigated): 2w

#### Typical profile

0 to 6 inches: Silty clay 6 to 16 inches: Silty clay

16 to 60 inches: Stratified silt loam to silty clay loam

#### Sa-Sharkey silty clay loam

#### **Map Unit Setting**

Elevation: 0 to 80 feet

Mean annual precipitation: 45 to 65 inches
Mean annual air temperature: 61 to 70 degrees F

Frost-free period: 200 to 350 days

#### **Map Unit Composition**

Sharkey and similar soils: 85 percent

#### **Description of Sharkey**

#### Setting

Landform: Natural levees
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey alluvium

#### Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately

low (0.00 to 0.06 in/hr)

Depth to water table: About 0 to 24 inches

Frequency of flooding: Rare Frequency of ponding: None

Calcium carbonate, maximum content: 5 percent Available water capacity: Moderate (about 8.7 inches)

#### Interpretive groups

Land capability (nonirrigated): 3w

#### Typical profile

0 to 10 inches: Sitty clay loam 10 to 40 inches: Clay 40 to 60 inches: Clay

#### Tn—Tunica clay

#### **Map Unit Setting**

Mean annual precipitation: 45 to 65 inches
Mean annual air temperature: 61 to 70 degrees F

Frost-free period: 200 to 350 days

#### **Map Unit Composition**

Tunica and similar soils: 85 percent

#### **Description of Tunica**

#### Setting

Landform: Natural levees Down-slope shape: Linear Across-slope shape: Linear

Parent material: Clayey over loamy alluvium

#### Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately

low (0.00 to 0.06 in/hr)

Depth to water table: About 18 to 36 inches

Frequency of flooding: None Frequency of ponding: None

Available water capacity: High (about 10.2 inches)

#### Interpretive groups

Land capability (nonimigated): 3w

#### Typical profile

0 to 6 inches: Clay 6 to 32 inches: Clay 32 to 60 inches: Loam

#### W---Water

#### **Map Unit Composition**

Water: 100 percent

## Soil Information for All Uses

### **Suitabilities and Limitations for Use**

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

#### **Land Classifications**

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

# Farmland Classification (Delta Southern railroad,INc (DSR) Shelburn Louisiana East Carroll Parish)

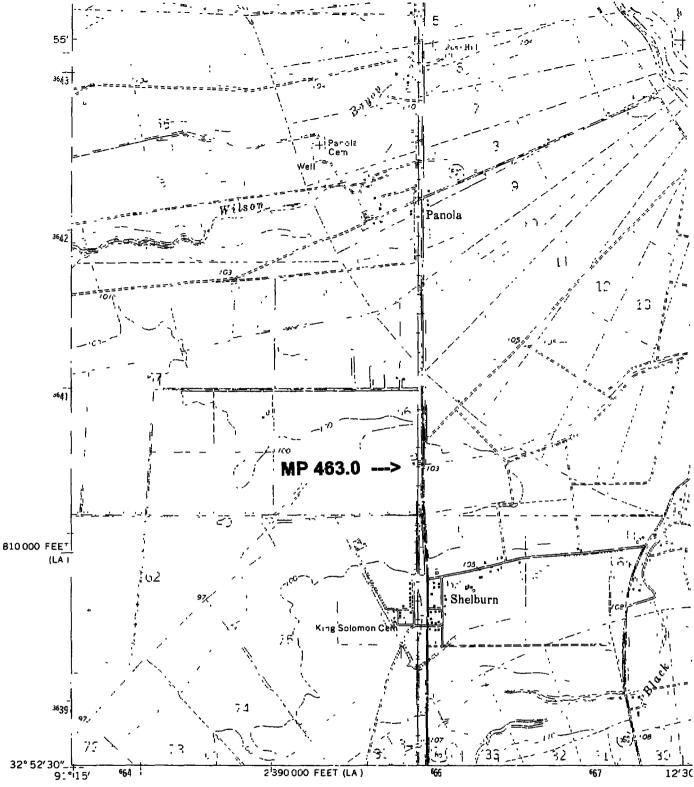
Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

MAP INFORMATION	Map Scale: 1:55,800 if printed on A size (8.5" × 11") sheet.  The soil surveys that comprise your AOI were mapped at 1:24,000.  Please rely on the bar scale on each map sheet for accurate map measurements.  Source of Map: Natural Resources Conservation Service Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov.Coordinate System: UTM Zone 15N NAD83  This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.  Soil Survey Area Data Version 5, Nov 2, 2007  Date(s) aerial images were photographed: 1998; 1996; 8/13/2004  The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.	
MAP LEGEND	Prime familiaring side in the familiaring side in the familiaring side is subsolied, completely removing the root inhibiting sole layer Prime familiaring sole layer and the product of I (soul encolability) x C (elimite factor) does not exceed 80 or Prime familiaring of excess safts and sodium Familiaring of statewide importance Familiaring of statewide importance Not rated or not everlable importance Not rated or not everlable Political Features  S Cities  Water Features  C Cities  Water Features  Transportation  +++ Relis  Interstate Highways	
	Solts Solt Map Units Solt Radings Final Map Units Solt Radings Final Map Units	

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210.

# DRAFT ENVIRONMENTAL & HISTORIC REPORT APPENDIX 3

Topographic map pursuant to 49 C.F.R. § 1105.8(d)(1)



Produced by the United States Geological Survey

Compiled by photogrammetric methods from imagery dated 1967 Field checked 1970

North American Datum of 1927 (NAD 27)

Projection: Louisiana coordinate system, north zone

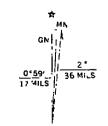
(Lambert conformal conic)

10 000-foot ticks: Louisiana coordinate system, north zone and

Mississippi coordinate system, west zone

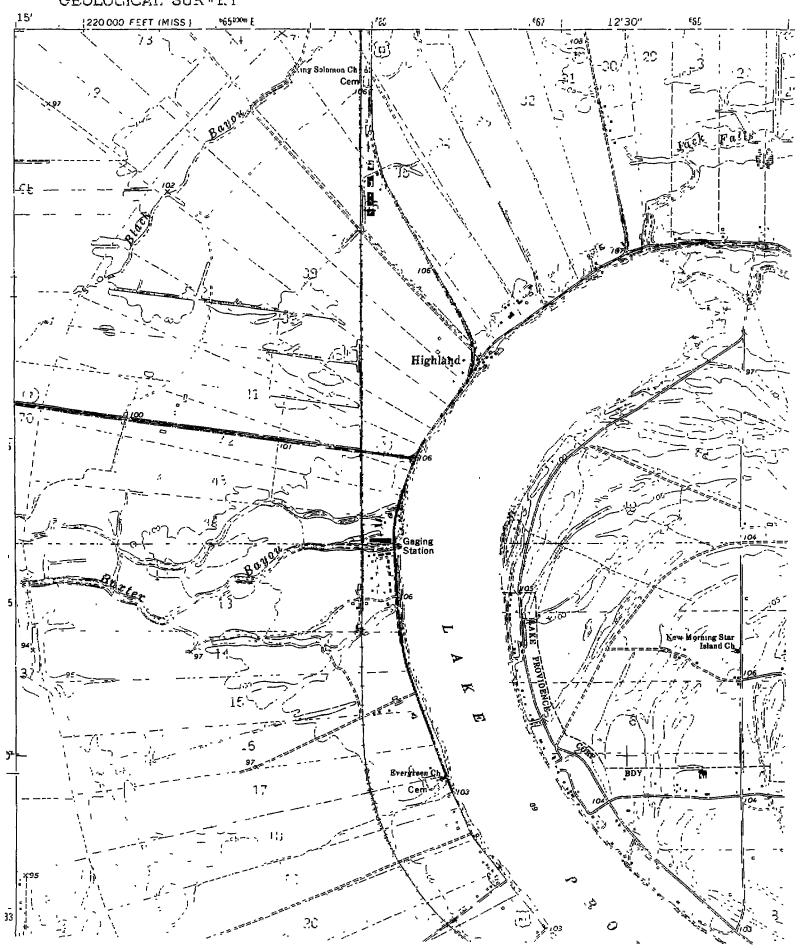
Blue 1000-meter Universal Transverse Mercator ticks, zone 15

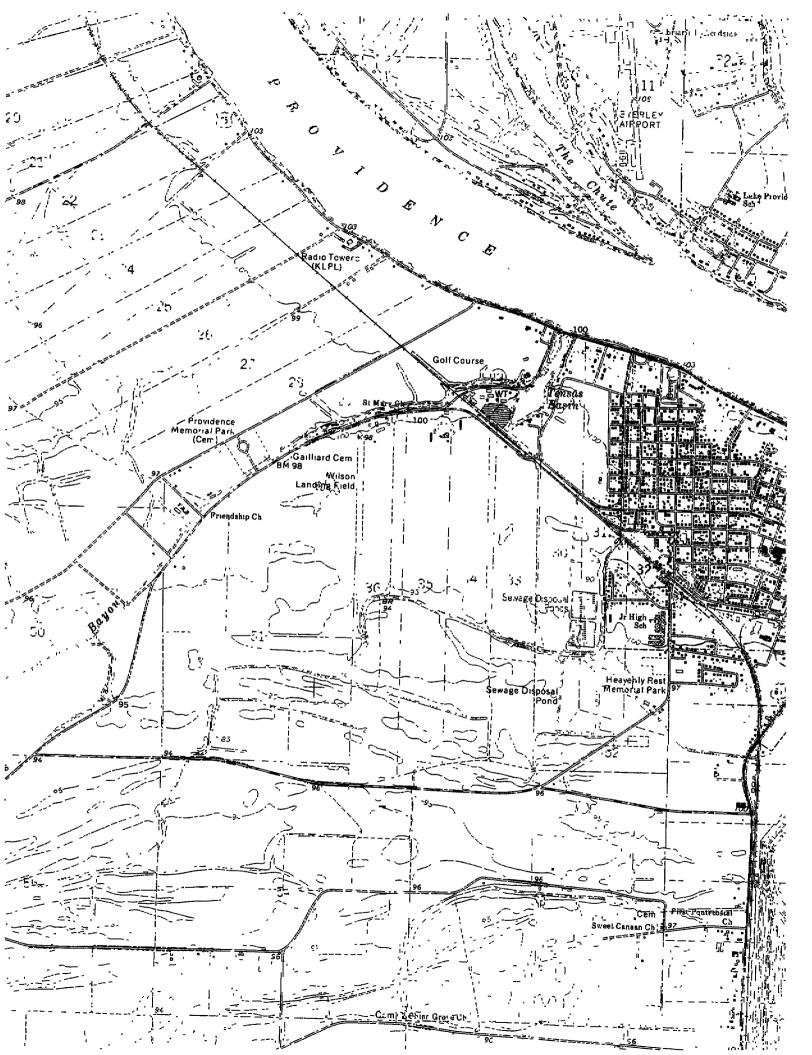
North American Datum of 1983 (NAD 83) is shown by dashed corner ticks. The values of the shift between NAD 27 and NAD 83 for 7.5-minute intersections are obtainable from National Gaodetic Survey NADCON software

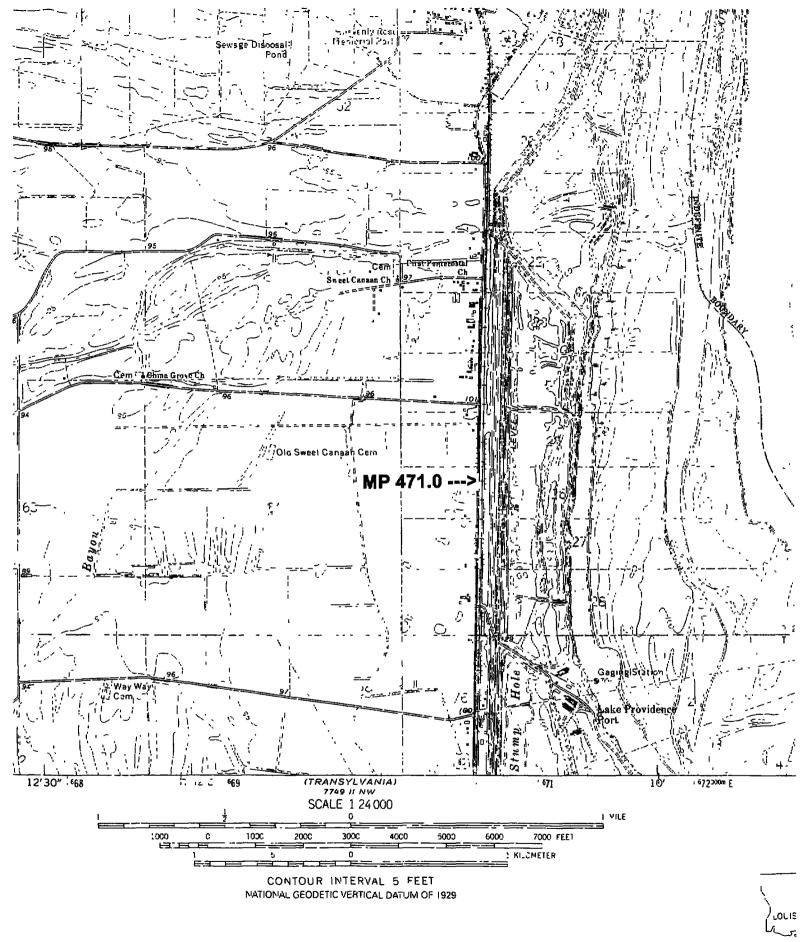


UTM GRID AND 1995 MAGNETIC MORTH DECLINATION AT CENTER OF SHEET

UNITEC STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY







THIS MAP COMPLIES WITH PATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO SC226, OR RESTON, VIRGINIA 22092
AIND LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, SIATON ROUGE, LOUISIANA 70204
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE OF REQUEST

QUADRANG Revisions shown in purpk State of Louisians agency

and other sources. Map Information shown in purs anderds and may confile

# DRAFT ENVIRONMENTAL & HISTORIC REPORT APPENDIX 4

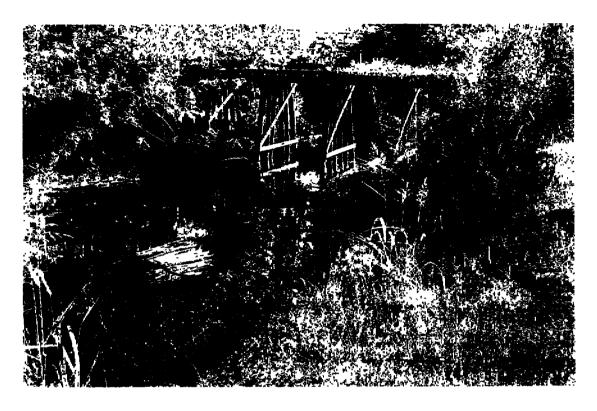
Bridge photographs pursuant to 49 C.F.R. § 1105.8(d)(3)



MP 463.7



MP 465.7



MP 468.9

#### **CERTIFICATE OF SERVICE**

I hereby certify that on October 20, 2010, I served the foregoing document, Draft Environmental and Historic Report, by first-class, U.S. mail, postage prepaid, on the following:

#### State Clearinghouse

Louisiana Department of Transp. & Develop. P.O. Box 94245 Baton Rouge, LA 70804-9245

#### State Coastal Zone Management

Louisiana Coastal Management Division Department of Natural Resources P.O. Box 44487 Baton Rouge, LA 70804-4487

#### City Planner:

City of Lake Providence Planning & Development Department 201 Sparrow Street Lake Providence, LA 71254

#### U.S. Fish & Wildlife Service:

U.S. Fish & Wildlife Service - Region 4 Century Center 1875 Century Boulevard Atlanta, GA 30345

#### **National Park Service:**

Planning and Compliance Office National Park Service - Southeast Region 100 Alabama St., SW Atlanta, GA 30303

#### National Oceanic & Atmospheric Admin.:

NGS Information Services, NOAA, N/NGS12 National Geodetic Survey SSMC-3, #9202 1315 East-West Highway Silver Spring, MD 20910-3282

#### **State Environmental Protection Agency**

Louisiana Dept. of Environmental Quality P.O. Box 4301 Baton Rouge, LA 70821-4301

#### **Parish Commissioners:**

Mr. Major Watson, Parish Manager East Carroll Parish Commissioners 3121 Hwy. 581 Lake Providence, LA 71254

# Environmental Protection Agency

(regional office):

Environmental Protection Agency - Region 6 1445 Ross Avenue, Suite 1200 Dallas, TX 75202

#### **U.S. Army Corps of Engineers**

U.S. Army Corps of Engineers New Orleans District P.O. Box 60267 New Orleans, LA 70160-0267

#### **Natural Resources Conservation Service:**

Natural Resources Conservation Service USDA 3737 Government Street Alexandria, LA 71302

#### **Louisiana Historical Preservation Office:**

Louisiana Office of Cultural Development Department of Culture, Recreation and Tourism P.O. Box 44247 Baton Rouge, LA 70804-4247

Thomas F. McFarland
Thomas F. McFarland

## APPENDIX 4

Responses to Draft Environmental & Historic Report

AAS F. McFARLAND

October 5, 2010 Page 2

Dear Agency or Governmental Representative:

No known historic properties will be affected by this undertaking. This effect determination could change should new information come to our attention.

Phil Boggan

Daic

Deputy State Historic Preservation Officer

Delta Southern Railroad, Inc. (DSR) is a common carrier by railroad whose address is P.O. Box 1709, Tallulah, LA 71282. In the near future, DSR intends to file with the Surface Transportation Board (STB) a Notice of Exemption from 49 U.S.C. § 10903 for abandonment of an 8-mile rail line between Milepost 463.0, which is located approximately 200 feet west of U.S. Highway 65 North at or near Shelburn, and Milepost 471.0, which is located approximately 75 feet east of U.S. Highway 65 South approximately one mile south of Lake Providence, in East Carroll Parish, Louisiana (the Rail Line). The Rail Line is shaded in yellow on a map that is attached to this letter as Appendix 1.

Before filing a Notice of Exemption for abandonment of the Rail Line, DSR is required to prepare and circulate to appropriate local government agencies a Draft Environmental and Historic Report that will be reviewed by the STB in conjunction with its determination of whether or not the proposed abandonment would have a significant adverse effect on the human environment or on historic resources. This letter is intended to consult with your agency in regard to the environmental and historic effects of the proposed abandonment.

Pursuant to STB regulations at 49 C.F.R. § 1105.7, this letter is to request your assistance in identifying potential environmental and historic effects of that proposed abandonment. DSR does not anticipate any adverse environmental or historic impacts; however, if you identify any such adverse impacts, please describe any action that could be taken to mitigate such adverse impacts. Please provide a written response to this letter as soon as possible so that your response can be included in a Draft Environmental and Historic Report that DSR will prepare, file with the STB, and serve on interested agencies.

<u>COUNTY AND CITY PLANNING AGENCIES</u>. Please state whether the proposed abandonment would be consistent with existing land-use plans. Describe any inconsistencies.

<u>US SOIL CONSERVATION SERVICE</u>. Please state the effect of the proposed abandonment on any prime agricultural land.

<u>US FISH AND WILDLIFE SERVICE</u>. Please state (1) whether the proposed abandonment is likely to adversely affect endangered or threatened species or areas designated as a critical habitat and, if so, please describe such effects; and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected and, if so, please describe such effects.

HOMAS F MCFARLAND

October 5, 2010 Page 2

Dear Agency or Governmental Representative:

The project has been reviewed for effects to find well that recorded under our judiciation and correctly protected by the Endanguish appeles Act of 1978 (Act). The project as prepared (V) Will have no effect un those resources.

(1) Is not likely to adversely affect those resources.

This finding fulfills the requirements under Section 7(a)(1) of the Acting Supervisor

Lociting Supervisor

Lociting Field Office

U.S. Fish and Wildlife Service

Delta Southern Railroad, Inc. (DSR) is a common carrier by railroad whose address is P.O. Box 1709. Tallulah, LA 71282. In the near future, DSR intends to file with the Surface Transportation Board (STB) a Notice of Exemption from 49 U.S.C. § 10903 for abandonment of an 8-mile rail line between Milepost 463.0. which is located approximately 200 feet west of U.S. Highway 65 North at or near Shelburn, and Milepost 471.0, which is located approximately 75 feet east of U.S. Highway 65 South approximately one mile south of Lake Providence, in East Carroll Parish, Louisiana (the Rail Line). The Rail Line is shaded in yellow on a map that is attached to this letter as Appendix 1.

Before filing a Notice of Exemption for abandonment of the Rail Line, DSR is required to prepare and circulate to appropriate local government agencies a Draft Environmental and Historic Report that will be reviewed by the STB in conjunction with its determination of whether or not the proposed abandonment would have a significant adverse effect on the human environment or on historic resources. This letter is intended to consult with your agency in regard to the environmental and historic effects of the proposed abandonment.

Pursuant to STB regulations at 49 C.F.R. § 1105.7, this letter is to request your assistance in identifying potential environmental and historic effects of that proposed abandonment. DSR does not anticipate any adverse environmental or historic impacts; however, if you identify any such adverse impacts. please describe any action that could be taken to mitigate such adverse impacts. Please provide a written response to this letter as soon as possible so that your response can be included in a Draft Environmental and Historic Report that DSR will prepare, file with the STB, and serve on interested agencies.

COUNTY AND CITY PLANNING AGENCIES. Please state whether the proposed abandonment would be consistent with existing land-use plans. Describe any inconsistencies.

<u>US SOIL CONSERVATION SERVICE</u>. Please state the effect of the proposed abandonment on any prime agricultural land.

<u>US FISH AND WILDLIFE SERVICE</u>. Please state (1) whether the proposed abandonment is likely to adversely affect endangered or threatened species or areas designated as a critical habitat and, if so, please describe such effects; and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected and, if so, please describe such effects.

BOBBY JINDAL GOVERNOR



### ROBERT D. HARPER

SECRETARY

RECEIVED

NOV 9 4 2010

MOFARLAND, P.C.

# DEPARTMENT OF NATURAL RESOURCES OFFICE OF COASTAL MANAGEMENT

State of Louisiana

October 29, 2010

Thomas F. McFarland Attorney for Delta Southern Railroad 208 South LaSalle St., Suite 1890 Chicago, Illinois 60604-1112

RE: C20100345, Coastal Zone Consistency

Delta Southern Railroad, Inc.
Surface Transportation Board
Federal License or Permit
Abandonment of 8.0 miles of rail line MP 463.0 – 471.0 Shelburn to Lake Providence
STB Docket No. AB-384 (Sub-No. 2X)
East Carroll Parish, Louisiana

Dear Mr. McFarland:

The above referenced project has been reviewed for consistency with the Louisiana Coastal Resources Program as required in Section 307 (c) of the Coastal Zone Management Act of 1972, as amended. It has been determined that the captioned project falls outside the Coastal Zone and has no significant effects on the Coastal Zone. The project, therefore, requires no formal consistency review and this Department has no objection.

It should be noted that another project in the same area may be deemed to impact the Coastal Zone and require consistency review. For this reason we request that you continue to submit applications to this Department for any other projects in the area. If you have any questions concerning this determination please contact Brian Marcks of the Consistency Section at (225) 342-7939 or 1-800-267-4019.

Sincerely,

Administrator

Interagency Affairs/Field Services Division

JR/JDH/bgm

cc: David Butler, LDWF

Environmental Analysis Section, Surface Transportation Board

Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487
617 North Third Street • 10th Floor • Suite 1078 • Baton Rouge, Louisiana 70802

(225) 342-7591 • Fax (225) 342-9439 • http://www.dnr.louisiana.gov

An Equal Opportunity Employer

From: Simon Monroe <Simon Monroe@noaa.gov>

To: mcfarland@aol.com

Cc: Surface Transportation Board <sea@stb.dot.gov>; Surveyorlady@yahoo.com; Gilbert Mitchell

<Gilbert.Mitchell@noaa.gov>; Simon Monroe <Simon.Monroe@noaa.gov>

Subject: [NGS Response, STB Docket AB-384 (SUB NO. 02X)]

Date: Thu, Nov 4, 2010 12:51 pm

Thank you for sharing your railroad abandonment environmental report for

Shelburn, East Carroll Parish, LOUISIANA.

Approximately 06 geodetic survey marks may be located in the area described. If marks will be disturbed by the abandonment, [THE RAILROAD] shall consult with the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic station

marks are described on the attached file. Additional advice is provided at <a href="http://geodesy.noaa.gov/marks/railroads/">http://geodesy.noaa.gov/marks/railroads/</a>

|....|AA2905|. 2|88/ADJUSTED|N325225......|W0911333......|C...|18 V 31

|....|AA2859|. 2|88/ADJUSTED|N325300......|W0911334......|C...|BLAIR AZ MK 2

|....|CP3388|. 2|88/ADJUSTED|N324934......|W0911300......|C...|18 V 7

|....|CP3389|. 2|88/ADJUSTED|N324904......|W0911225......|C...|18 V 8

|....|CP2840|2 2|88/ADJUSTED|N324926.17730|W0911315.57858|C...|LAKE

|....|AA2858|. 2|88/ADJUSTED|N324925......|W0911315......|C...|LAKE RM 2

## APPENDIX 5

Newspaper notice

Fax from : 13185592750

Established 1887

A.C. Curlton Publisher

# **Banner-Democrat**

"The Pulse of East Carroll Parish"

313 Lake Street

Lake Providence, Louisiana 71254

Phone: 318-559-2750 • Fax: 318-559-2750

# **Notice**

This is to certify that the attached notice has appeared in this

newspapor	on	the	following	dates:	<u>A</u>	tob	21-	<u>) (</u>	<u>.                                    </u>	20	10
				20	:					20	•

## **Abandonment**

Hefore Trie Surface Transportation Board Washington, D.C 20423

STB Docket No. All-384 (Sub-No. 2X)

Deija Southern Railroad, Inc. -- Abandonment Exemption --In East Carroll Parish, La

NOTICE OF INTENT TO FILE AN APPLICATION FOR ABANDONMENT

DELTA SOUTHERN RAILROAD. INC (DSR) gives notice that on or about November 9, 2010, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 CFR 1152 Subpart F - Exempt Abandonmonts permitting the abundonment of an 8mile rail line between Milepost 463 0, which is located approximately 200 feet west of U.S. Highway 65 North at or near Shelburn, and Milegrost 471.0, which is located upproximately 75 feet oast of US. Highway 65 Bouth approximately one mile south of Loke Providence, in East Chricil Parish, Louisianu (the Rail Line) The Rail Line extends through United States Postal Zip Code 71254. The proceeding is dockoled as STR Dixket No. AB-884 (Sub-No. 2X), Delta Southern Railroad, Inc. - Abandonment Exemption - m East Corroll Parish, LA.

The Heard's Section of Environmental Analysis (SEA) will generally prepare un Environmental Assessment (EA), which will normally be available 25 days after the filing of the

notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Bection of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at 202-245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for envirounental conditions, public uso conditions, or rail banking/trails use size can he filed with the Board. An original and 10 copies of any pleading that renew matters other than environmental issnes (such as trade use, public use, and offere of financial assistance) must be filed directly with the Board's Office of the Secretary, 895 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.8(a), and one copy must be served on applicants' reprosentative, [Sec 49 CFR 1184.12(a)] Questions regarding offers of financial maistance, public use, or trails use may be ducated to the Board's Office of Conpressional and Public Services at 202-245 B288 Capies of any commends or requests for conditions should be nerved on the applicant's representative-Thomas E biging kind, They we to bie Farland, P.C., 208 South LaSalle Street, Sume 1890, Chicago, II, G0004-1112, phone 312-236-0204

Hepresentative of the Banner-Democrat

312-201-9695